

REMARKS

Claims 1-20 are pending. Claims 1-20 stand rejected under 35 USC § 103. Applicant thanks Examiner and his supervisor for the interview. Applicant respectfully traverses the rejections with respect to the claims in light of the amendments with the following remarks.

Applicant requests interview

Applicant respectfully requests an interview if it would expedite disposition of the application. The undersigned attorney would welcome and encourage a telephone conference with Examiner at (512) 391-4913.

IDS objection

The final revision of the previous Office action response was revised to indicate that we did not intend to resubmit the IDS. Somehow, that revision was not filed. Applicant searched for the thorough cites for the references that were rejected and was unable to attain such sites. Thereafter, Applicant reviewed the documents in the IDS and decided that the references were not material to the patentability of the claims so Applicant decided not to resubmit the two articles. A new IDS form is not necessary. Applicant apologizes for the error and respectfully requests that the objection be withdrawn.

Claim rejections under 35 USC § 103

Claims 1-6, 9-15, and 17-20 stand rejected under 35 USC § 103 as being unpatentable over McGann et al. U.S. Pat. 6,920,476 (hereinafter “McGann”) in view of Lambert et al. U.S. Pat. App. 2003/0033349 (hereinafter “Lambert”). Applicant respectfully traverses the rejections with respect to the claims with the following remarks.

To establish a *prima facie* case of obviousness,¹ the modification or combination must teach or suggest all of Applicants' claim limitations.²

Independent Claims

McGann in view of Lambert does not describe, expressly or inherently, all of the limitations of claims 1, 9, and 17. For instance, with regards to claims 1 and 17, McGann in view of Lambert fails to teach or suggest:

...storing the message in an inbound queue after receiving the message; browsing the inbound queue to identify the message after storing the message in the inbound queue; copying the message to a working queue, the working queue being persisted by a queue manager, to persist the message, the message being in both the inbound queue and the working queue concurrently; removing the message from the inbound queue after copying the message to the working queue; processing the message to generate a reply prior to removing the message from the working queue; and storing the reply in an outbound queue after generating the reply.

With regards to claim 9, McGann in view of Lambert fails to describe:

a dispatcher to browse the inbound queue to identify the message after the message is stored in the inbound queue; copy the message to the working queue to persist the message, the message to be in both the inbound queue and the working queue concurrently; remove the message from the inbound queue after the message is copied to the working queue and after the message is persisted from the working queue; and assign a thread to process the message to generate the reply in response to the message prior to removing the message from the working queue and to store the reply in the outbound queue after generating the reply.

McGann receives a message at a messaging collector and passes the message to a local queue manager (See FIG. 2, elements 26, 28, 30, and 32). "Once messaging collector 28 has passed the message off to local queue manager 30, sending process 20 has completed sending message 26, and may return to other functions."³ "The messaging collector method 28 preferably returns a status code to sending process 20 indicating

¹ Manual of Patent Examining Procedure §2142.

² *In re Royka*, 490 F.2d 981, 985, 180 USPQ 580, 583 (CCPA 1974).

³ McGann, col. 2, lines 44-47.

success or failure for accepting the message. This is based upon a similar success or failure status received from the local queue manager.”⁴ “Local queue manager 30 accepts messages as quickly as possible from messaging collector 28, and prepares them for continued transmission.”⁵ “Also, preferably, [the message] is persisted to a local file system 32 [by the local queue manager 30], where it is stored until the message is delivered.”⁶

As indicated in the Office action, Lambert teaches that “[a]ll queue managers support synchronous messaging operations, such as the ability to access queues to get, put and browse messages.”⁷

McGann in view of Lambert does not teach or suggest “storing the message in an inbound queue ...; browsing the inbound queue...; copying the message to a working queue ... to persist the message... in both the inbound queue and the working queue concurrently; removing the message from the inbound queue ...; processing the message to generate a reply ...; and storing the reply in an outbound queue” For example, neither McGann nor Lambert teach or suggest storing the message in both the inbound queue and working queue concurrently. Neither McGann nor Lambert teach or suggest storing the message in the inbound queue, copying the message into the working queue, and then removing the message from the inbound queue. Thus, the combination of McGann and Lambert fails to “teach or suggest all of Applicants’ claim limitations”⁸ so Applicant respectfully requests that the rejections be withdrawn and the claims be allowed.

Dependent Claims

Furthermore, the dependents of claims 1, 9, and 17 incorporate the limitations of claims 1, 9, and 17. Thus, the combination of McGann and Lambert does not teach or suggest all the limitations of dependent claims of claims 1, 9, and 17, and Applicant respectfully argues that the dependent claims should be allowed.

⁴ McGann, col. 2, lines 53-57.

⁵ McGann, col. 2, lines 60-62.

⁶ McGann, col. 3, lines 2-3.

⁷ Lambert, par. 90.

⁸ *In re Royka*, 490 F.2d 981, 985, 180 USPQ 580, 583 (CCPA 1974).

Reservations

Applicant is not conceding in this application that the original claims are not patentable over the art cited by Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution. Applicant respectfully reserves the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

CONCLUSION

Applicant respectfully traverses the rejections in light of the cited references under 35 USC § 103. Accordingly, Applicant believes that this response constitutes a complete response to each of the issues raised in the Office action. In light of the amendments made herein and the accompanying remarks, Applicant believes that the pending claims are in condition for allowance. Thus, Applicant requests that the rejections be withdrawn, pending claims be allowed, and application advance toward issuance.

A petition and payment for an extension of time is attached. Authorization for the RCE fee also accompanies this filing. No other fees are believed due with this paper. However, if any fee is determined to be required, the Office is authorized to charge Deposit Account 09-0447 for any such required fee.

Respectfully submitted,

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/Jeffrey S Schubert/

Date

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